

FORM PTO-1390  
(REV 11-98)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

APPLICANT'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

1-14746

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**09/423534**INTERNATIONAL APPLICATION NO.  
PCT/DE98/01316INTERNATIONAL FILING DATE  
12 May 1998 (12.05.98)PRIORITY DATE CLAIMED  
12 May 1997 (12.05.97)

TITLE OF INVENTION DEVICE FOR MEASURING LIGHT-ACTIVATED FLUORESCENCE AND ITS USE

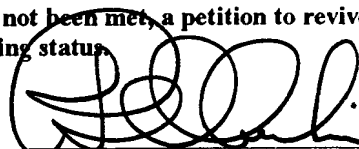
APPLICANT(S) FOR DO/EO/US MATTHIAS LAU

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☒ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☒ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Express Mail Certificate, Formal Drawings return care;
  - International Preliminary Examination Report IPEA/409;
  - International Search Report ISA/210;
  - copies of PCT Forms IB/301 and RO/101 (Request);
  - copy of cover page of published international application;

U.S. APPLICATION NO. <b>0974235</b> INTERNATIONAL APPLICATION NO. <b>PCT/DE98/01316</b>		ATTORNEY'S DOCKET NUMBER <b>1-14746</b>																															
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$760.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>CALCULATIONS</b> PTO USE ONLY																															
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 840.00																															
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> <th style="width:10%;"></th> <th style="width:10%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>20 - 20 =</td> <td>0</td> <td>X \$18.00</td> <td>\$ -</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>X \$78.00</td> <td>\$ -</td> <td></td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$260.00</td> <td>\$ -</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$ 840.00</td> <td></td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	20 - 20 =	0	X \$18.00	\$ -		Independent claims	1 - 3 =	0	X \$78.00	\$ -		MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$ -		<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 840.00		\$ -	
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Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).		\$ -																															
<b>SUBTOTAL =</b>		\$ 840.00																															
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ -																															
<b>TOTAL NATIONAL FEE =</b>		\$ 840.00																															
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		\$ -																															
<b>TOTAL FEES ENCLOSED =</b>		\$ 840.00																															
		Amount to be: refunded																															
		charged																															
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>840.00</u> to cover the above fees is enclosed.  b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-1816</u> . A duplicate copy of this sheet is enclosed.																																	
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>																																	
SEND ALL CORRESPONDENCE TO: MARSHALL & MELHORN PHILLIP S. OBERLIN FOUR SEAGATE - 8TH FLOOR TOLEDO, OHIO 43604  Phone: (419) 249-7149 Fax: (419) 249-7151		<div style="text-align: center;">           SIGNATURE:          PHILLIP S. OBERLIN          NAME          19,066          REGISTRATION NUMBER       </div>																															

## Certificate under 37 CFR 1.10 of Mailing by "Express Mail"

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*November 9, 1999*

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Kathleen J. Moore*

Signature of person mailing correspondence

Kathleen J. Moore

Typed or printed name of person mailing correspondence

Note: Each paper must have its own certificate of mailing by "Express Mail".

FILING UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

INT'L APPLN: PCT/DE98/01316

INT'L FILING DATE: 12 MAY 1998 (12.05.98)

TITLE: DEVICE FOR MEASURING LIGHT-ACTIVATED FLUORESCENCE  
AND ITS USE

INVENTOR: MATTHIAS LAU

ATTORNEYS: MARSHALL & MELHORN

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